

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR SPECIAL COUNCIL MEETING
OF
TUESDAY, FEBRUARY 9, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

To Council Members Mathis, Wear, Kehoe, Stevens, Warden, Stallings, McCarty, and Vargas,
members of the City Council of the City of San Diego, California:

This is to notify you that I am calling a Special Meeting of the City Council Tuesday, February 9,
1999 at 2:00 p.m. in the Council Chambers, 202 C Street, San Diego, on the 12th Floor.

The meeting is being called for the purpose of the Council voting on a proposal related to the
Three Methods for Funding the New Main Library and "The Smart and Healthy San Diego Plan"
for Annual Tobacco Settlement Payments as outlined in my memo dated February 2, 1999.

Dated February 2, 1999

SUSAN GOLDING, MAYOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. The meeting was adjourned by Mayor Golding at 6:05 p.m. into Closed Session on Tuesday, February 16, 1999 at 9:00 a.m. in the 12th floor conference room.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-excused by R-291345 (family emergency and illness)

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (ms)

FILE LOCATION: MINUTES

ITEM-600: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present

- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-601: A Resolution Approving and Adopting the Mayor's Smart and Healthy San Diego Plan as Stated in her Memo dated February 2, 1999. (Recommendation on the Library.)

(Continued from the meeting of February 2, 1999, Item 207, at the request of Mayor Golding, to allow time for Councilmembers to review .)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-859 Cor. Copy) ADOPTED AS RESOLUTION R-291262

Approving and adopting Mayor Susan Golding's memorandum to the City Council dated February 2, 1999 and the "Smart and Healthy San Diego Plan."

MAYOR GOLDING'S RECOMMENDATION:

That the City Council approve the "Smart and Healthy San Diego Plan" which utilizes anticipated annual tobacco litigation settlement payments to the City of San Diego as designated in the Master Settlement Agreement to:

- a) Establish a Healthy Kids Fund;
- b) Establish a Healthy Kids Park and Open Space Fund;
- c) Establish a Youth Anti-Smoking and Anti-Substance Abuse Enforcement Fund;
- d) Establish a City of San Diego Medical and Public Health Scholarship fund;
- e) Establish a Fund for the New Main Library, with Option A (Alternatives are Options B and C);
- f) Add Each Year to the City's Contingency Reserve; and
- g) Direct the City Manager to include these expenditures in the Annual Appropriations Ordinance.

SUPPORTING INFORMATION:

Mayor Golding's memorandum outlines the following three options for funding a new Main Library:

Option A:

1) Fund the new Main Library in "The Smart and Healthy San Diego Plan" using a portion of the anticipated annual tobacco litigation settlement payments as indicated in Appendix A of Mayor Golding's memorandum. This method would free TOT revenues for other important purposes the Council chooses such as required ADA improvements to Qualcomm Stadium, additional park and open space funding, deferred maintenance, the budgetary needs of the Fire Department, and improving the fiscal health of the City. 2) Establish two special sections in the New Main Library: one dedicated to educating the public on smoking-related health risks, and the other, designed to educate children, students, business people on good business ethics, what constitutes fraudulent business practices and to inform consumers of their rights; 3) Use TOT as back up in direct proportion to any unavailability of tobacco funds, examples of which are shown on the bottom of Appendix B.

Option B:

Fund the new Main Library in "The Smart and Healthy San Diego Plan" with TOT, using a portion of the anticipated annual tobacco litigation settlement payments as back up in direct proportion to any unavailability of TOT, examples of which are shown in Appendix C.

Option C:

Fund the new Main Library in "The Smart and Healthy San Diego Plan" with TOT, without any reliance upon anticipated annual tobacco litigation settlement payments, as indicated in Appendix D.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A004-F242.)

Motion by Mathis to adopt the resolution and approve Option A of the Mayor's Smart and Healthy San Diego Plan. Second by Wear.

Substitute motion by Warden to continue this item until after April 1 for the following four things to know what dollars will be available for fiscal year 2000: Mid year budget; budget for fiscal year 2000; March 2 branch library measure; and April 1 downtown redevelopment ballpark deadline. Second by Vargas. Failed. Yeas-5,6,8. Nays-1,2,3,7,M. Not Present-4.

Vote on main motion. Failed. Yeas-1,2,3,M. Nays-5,6,7,8. Not Present-4.

MOTION BY MCCARTY TO ADOPT THE RESOLUTION AND APPROVE OPTION B OF THE MAYOR'S SMART AND HEALTHY SAN DIEGO PLAN IN HER MEMORANDUM OF FEBRUARY 2, 1999 WITH HOTEL TAX AS THE PRIME FUNDING SOURCE FOR THE SAN DIEGO MAIN LIBRARY, LIMITING TOBACCO FUNDS TO A BACKUP POSITION. CONFIRM COUNCIL INTENT, AS STATED BY ASSISTANT CITY ATTORNEY DEVANEY, THAT PROPOSITION L MONEY MAY NOT BE USED TO FUND A NEW MAIN LIBRARY. FURTHER, BECAUSE THE CITY HAS THE FUTURE OF 33 LIBRARIES AT STAKE IN THE PROPOSITION L ELECTION, AND BECAUSE THE COUNCIL HAS TRADITIONALLY ADJOURNED THEIR MEETINGS TO ALLOW THE COUNCIL TO HELP TURN OUT THE VOTE, ADJOURN THE MEETINGS OF MARCH 1 AND 2 WITH THE BUSINESS CARRIED OVER TO THE FOLLOWING MEETINGS. Second by Wear.

Council Member Stallings' request to divide the motion was accepted.

Vote on portion of motion to approve Option B with confirmation that Proposition L funds may not be used to fund a new main library. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-nay, Stallings-nay, McCarty-yea, Vargas-nay, Mayor Golding-yea.

Vote on portion of motion to adjourn the Council Meetings of March 1 and 2. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:05 p.m. in honor of the memory of :

Ryan Cooty as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location F242-250.)